

### **IN THE SPECIFICATION**

Please amend the paragraph beginning on page 7, line 3, as follows:

Referring to Figure 4 ~~5~~ in accordance to another embodiment of the present invention, a nitride layer 22 may be formed over the gate structure 14 and mask 16. An interlayer dielectric 19 may overlie the lower portions of the nitride layer 22. Some of the overlying interlayer dielectric material 19 may be polished away to achieve the structure shown in Figure 4. Thereafter, an etching process may remove the exposed nitride layer 22 and the mask 16 as shown in Figure 5.